

REMARKS

The above-identified application is United States application serial number 10/759,849 filed on January 15, 2004. Claims 1-35 are pending in the application. Claims 20-27 are withdrawn from consideration. Claims 1-19 and 28-35 are rejected.

Rejection of Claims under 35 U.S.C. §103

Claims 1-19 and 28-35 are rejected under 35 U.S.C. 103(a) as being unpatentable over applicant's information disclosure statement entry (IQ) in view of May (3,318,225). Applicant has amended Claims 1, 4, 5, 8, 9, 11-14, 17, 28, and 29 to clarify distinctions between the cited art and the claims.

All claims are amended, either directly or by dependence. The amended claims distinguish over the cited references at least because the references do not disclose either a "partition . . . constructed into a plenum beneath the raised-floor" or "a sensor . . . that detects a parameter indicative of airflow distribution in the data center, tracks the parameter over time, and adaptively controls the flow resistance beneath the raised floor based on the tracked changes in the parameter to balance air flow distribution to match thermal loads imposed by data center equipment." IQ does not specify that the partitions are constructed into the floor as claimed and described by the applicant in paragraph [0050] and does not further specify adaptive control, tracking of environment changes, and balancing of air flow distribution. As amended, the claims cannot be broadly read for the recited controller or adaptive control to include "a person replacing the partitions" as pointed out by the Examiner in the Office Action dated 03/02/2006. Applicant's claimed system enables responsiveness to changes in data center environment that cannot be addressed by the system described in IQ. Accordingly, applicant's amendments clarify what is meant by "adaptive control" to include only automatic and not manual control of flow resistance. Similarly, May does not describe a system capable of such adaptive control of flow resistance in the plenum because the "temperature-responsive actuator 68" does not control flow resistance but rather selection between supply of cold air and warm air. In May, flow resistance is controlled not by the actuator, and thus not by automatic or adaptive means, but rather by manual selection of "the span of bead chain 58" (col. 2, lines 69-70).

CONCLUSION

The application, including remaining Claims 1-19 and 28-35, are believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the examiner is requested to telephone the undersigned at (949) 251-0250.

I hereby certify that this correspondence is being facsimile transmitted to the USPTO, Central Number at (371) 273-8300 on the date shown below:

(Signature)

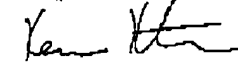
Joy C. Ngo

(Printed Name of Person Signing Certificate)

May 25, 2006

(Date)

Respectfully submitted,



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